

## **COMMITTEE ON WAYS AND MEANS**

October 24, 2017

A meeting of the Committee on Ways and Means was held this date at 4:44 p.m.

### **PRESENT (13)**

The Honorable John J. Tecklenburg, Mayor

|                        |            |   |             |
|------------------------|------------|---|-------------|
| Councilmember White    | District 1 | Councilmember Waring  | District 7  |
| Councilmember Williams | District 2 | Councilmember Seekings  | District 8  |
| Councilmember Lewis    | District 3 | Councilmember Shahid  | District 9  |
| Councilmember Mitchell | District 4 | Councilmember Riegel - <i>arrived at 5:25 p.m.</i><br><i>(not present for Items 2 – 15)</i> | District 10 |
| Councilmember Wagner   | District 5 | Councilmember Moody   | District 11 |
| Councilmember Gregorie | District 6 | Councilmember Wilson  | District 12 |

### **1. MOMENT OF SILENCE:**

The meeting was opened by Councilmember Seekings with a moment of silence.

### **2. APPROVAL OF MINUTES:**

On a motion of Councilmember Mitchell, seconded by Councilmember Williams, the Committee on Ways and Means voted unanimously to approve the minutes of the October 10, 2017 Committee on Ways and Means meeting.

### **3. BIDS AND PURCHASES:**

On a motion of Councilmember Williams, seconded by Councilmember Lewis, the Committee on Ways and Means voted unanimously to approve the bids and purchases as follows:

### **INFORMATION TECHNOLOGY: ACCOUNT:161000-52740 APPROPRIATION: \$114,858.75**

Approval to purchase GETAC MDT's from lowest bidder (Newcom) for Police Department vehicles; Solicitation #17-B028R. This will provide twenty-five (25) new Mobile Data Terminals

(semi-rugged laptops) for Police vehicles to expand the current deployment of units used for mobile dispatch and field reporting. Includes fifty (50) MDT docking-stations for Police vehicles to cover multiple Police Teams. The approval will allow for a budget transfer from 200000-52023 to 161000-52740 as a part of the transaction.

**INFORMATION TECHNOLOGY: ACCOUNT:161000-58020/161000-52206**

**APPROPRIATION: \$55,127.95/\$25,063.00**

Approval of purchase of CISCO Systems Network Equipment from Internetwork Engineering for network and firewall upgrades; State Contract #4400016103. This provides network hardware necessary to complete firewall upgrades for increased cyber security capabilities and to facilitate new dual path Internet connectivity in support of resilient City and Emergency Management operations.

**4. BUDGET FINANCE AND REVENUE COLLECTIONS: APPROVAL OF AMENDMENT IV TO THE 2001 JOHNSON CONTROLS ENERGY PERFORMANCE CONTRACT FOR IMPROVEMENTS TO THE ENERGY AND OPERATIONAL EFFICIENCY OF CITY FACILITIES. THE SCOPE OF WORK INCLUDES IMPROVEMENTS TO 72 CITY FACILITIES INCLUDING BUT NOT LIMITED TO LED INTERIOR LIGHTING UPGRADES AND CONTROLS, PARKING GARAGE LIGHTING UPGRADES, R-22 EQUIPMENT REPLACEMENT, HVAC BUILDING CONTROLS IMPROVEMENTS, R-22 CHILLER REPLACEMENTS, MECHANICAL SYSTEM UPGRADES AND REPLACEMENT, MLK NEW POOL ENCLOSURE & UPGRADES, WINDOW REPLACEMENTS AT ST. JULIAN DEVINE, AND DISTRIBUTED ENERGY STORAGE AT GREENBERG MUNICIPAL COMPLEX. APPROVAL OF THIS CONTRACT GIVES THE MAYOR THE AUTHORIZATION TO ENTER INTO A LEASE PURCHASE AGREEMENT FOR APPROXIMATELY \$12.3 MILLION THAT WILL BE FUNDED THROUGH \$17 MILLION IN COST AVOIDANCE OVER A 15 YEAR TERM.**

Councilmember Mitchell made a motion to approve. Councilmember Williams seconded the motion.

Chairman Moody said he believed at some point that the MLK new pool enclosure and upgrade was going to be withdrawn from the contract and considered by itself at a later time. He said he didn't want to pass this over without having that discussion. Mayor Tecklenburg said the Recreation Committee met last week and did recommend to Council that the matter of the MLK pool enclosure be removed from the proposal, so that the Committee on Ways and Means could consider the Johnson Controls contract without this item being a part of it. He said the Sustainability Committee met yesterday, and a motion was made by Councilmember Seekings and seconded by Councilmember Waring that the matter of the pool still be attached to the proposal, but that a second approval would be needed after more study was done in North Charleston related to the Danny Jones pool and the electrical system. They had conflicting recommendations from the two committees.

Councilmember Seekings said he was part of this discussion, and they had a long conversation not just about the MLK Pool, but pools in general and the natatorium. He thought the motion was made that they keep it in and defer it for possibly 24 months. The reason they wanted to keep it attached was for banking purposes as it might affect funding on the front end. He said there was more to the discussion which included what the future of Charleston would look like in terms of pools, swimming facilities, and the natatorium. He said this motion included having this discussion before it ever came back to them.

Chairman Moody said as far as the original motion was concerned, they would need to amend it to leave it in, but require additional activity. Councilmember Seekings said the motion at the Sustainability Advisory Committee meeting was to leave it in with a specific requirement of additional activity. Chairman Moody asked if it would come back to Ways and Means for any further action before it was funded. Councilmember Seekings said the difference between this and a deferral was that it gave Amy Wharton, CFO, the leeway she needed with the bank. Chairman Moody said he just wanted to make sure they had the motion correct before they continued.

Councilmember Gregorie said he wanted to make sure everyone was clear. In the Recreation Committee meeting, they discussed, at a minimum, pulling the electrical aspects out of the contract related to the MLK Pool. He said in talking to Ms. Wharton, the City would have to pull the approximately \$300,000 out for the electrical work. Ms. Wharton said they would have to do the electrical work. It may not be this year, but soon. Councilmember Gregorie asked if they were talking about deferring the pool completely because the Recreation Committee recommended, at a minimum, that they move forward with the electrical work. Ms. Wharton said what they discussed at the Sustainability Advisory Committee meeting was delaying the pool, but still moving forward with it until they could come to a decision. She had concerns with that because if they were borrowing the money, the City would have a prepayment penalty, so she did not want to borrow the entire amount. She preferred to have a decision on the pool. She said the City could enter into a Master Lease where the City would borrow for the rest of the project now, and then they could borrow later for the pool with an increased interest rate risk. Right now, they had a 2.33% interest rate. If they waited and borrowed for the pool portion of it, the interest rate might increase. She said with regards to the delay, they would want to keep it on the 18 month scheduled, but they would have until June to decide whether or not they wanted to proceed with the pool, they would stay on schedule, and everything would still be okay. Councilmember Gregorie said they could possibly pay for this out of the TIF if needed. Ms. Wharton said they could if they had enough left in the TIF based on other projects.

Councilmember Wilson said she did not want this to simply slip through where they would not make a decision and still borrow the money for it. She said that is how the best intentions went wrong. They needed to have a serious conversation about all of the facilities, what was to come, what had not been built, what they would like to see, and where they were going. She said they had a lot of serious things they had not considered as a Council, and there were a lot of secondary and tertiary concerns that had never made it to the Committee regarding this

project and fall-out that no one had taken into account. She said this all needed to be brought forth before the Committee made this decision. There was a lot to be discussed beyond the MLK Pool enclosure. Chairman Moody asked if Councilmember Wilson was referring to just the MLK Pool, or if she was referring to all of the projects. Councilmember Wilson said this was a major part of a greater discussion. She said they needed to have this portion of the discussion because this was a monetary item that affected the City in the short term, but they had to have a broader discussion because this was how they began to formulate a plan.

Councilmember Waring said he was not on the Recreation Committee, but he thought they had a great conversation at the Sustainability Advisory Committee that led to a broader and comprehensive conversation about all of the City's pools, inclusive of discussions on the natatorium. He thought that part was encouraging and having the additional time to have this conversation made sense. Additionally, Mr. Kassis of SCE&G brought the example about having a similar situation at the Danny Jones pool with its enclosure and getting private sector participation to offset costs. They briefly spoke about the TIF, so they needed some more time, and while he thought it was worthwhile to get additional time to discuss the pool, he did not think they should hold up the remainder of the process.

Councilmember Shahid said he wanted to make sure they were clear on what they were doing. The contract attached to the agenda beginning on page 43 specifically addressed the enclosure. At the Recreation Committee, they decided to amend the contract in regards to addressing the electrical component of the pool, and whatever happened at the Sustainability Advisory Committee meeting seemed to be different from this. He just wanted clarification because they had two different committee reports. He just wanted to know what the Committee was voting on, and Chairman Moody said this was his confusion, as well. Chairman Moody said he understood that the Recreation Committee approved the whole recommendation with the exception of pulling the MLK Pool out of the contract. Councilmember Shahid clarified that it was only the enclosure part, not the electrical part. Ms. Wharton said the whole item would have to come out because the electrical part could not be proceed under this contract. It would all have to come out of the contract. Chairman Moody said the whole MLK Pool item would be removed and considered as a separate item moving forward. Then, at the Sustainability Advisory Committee meeting, they asked to leave the item in, but require another vote on it before it could really move forward. This would allow Budget Finance and Revenue Collections to start securing funding for the whole project and find out what they needed to do. He asked if this was correct. Ms. Wharton said the City could get the funding just for the other part and borrow later for the pool. They could move forward with the rest of the project as a Master Lease, and then they could go back and get the pool later, but they would need to decide by June. Chairman Moody said the risk in doing that was the City may have an increased interest rate risk, and Ms. Wharton confirmed.

The Clerk asked if the motion was to accept the contract as is with further review related to the pool. Chairman Moody said the Committee had not amended the motion, and he wanted to hear whether or not they wanted to accept it, amend it per the Sustainability Advisory Committee, or amend it per the Recreation Committee.

Councilmember White said he had some comments he wanted to add to the discussion. He said that starting with the HVAC systems, there was a significant number of units intended to be replaced, some of which were less than five or three years old. An HVAC unit was somewhere between \$10,000 - \$12,000 to replace, and the City had a lot of them stacked-up to be replaced that had lots of useful life left. He recommended the HVAC units be amended so that the City replace units that were older than 20 years as that was really the end of their useful life, and they could save a fair amount by doing this. He said the contract contemplated replacing all of them at the same time, and he did not think this was a good idea. If 100 units were replaced at the same time, and ten years from now 100 units went bad all at the same time, that would become a very significant strain on the City. He contended it was better to have a number of units at different ages, even if they were the old R-22 systems. He understood wanting to change them from an environmental standpoint, but at the same time, if the units did not leak, they did not cause a problem. He understood that Johnson Controls would be fixing the unit at City Hall. The renovation of City Hall was not that old, so he wanted to know if this was a warranty item under the original contractor who installed the system and whether it would be covered. Ms. Wharton said this was past the warranty. Councilmember White said it was his understanding that the ice machine would not be replaced and asked if this was correct. Ms. Wharton confirmed that they took this out of the contract. Councilmember White said the term "cost avoidance" caused him concern because if one looked at the City's budget each year, the City's utility costs never went down. He understood it could be because the City's usage might go up or be a result of the City's usage of new buildings, but the reality was that as much as the City was growing in their usage, their savings were never equating to anything that was substantial enough to make an offset. He said there weren't effective, overall savings from a real dollar standpoint they could use, and this was his challenge.

Councilmember Wilson thought it was disturbing that one committee was allowed to arbitrarily overrule another committee. She said the Recreation Committee made a decision, and who was to say that the Sustainability Advisory Committee was able to undo this decision? She did not even know if the Sustainability Advisory Committee was made aware of the action the Recreation Committee had chosen to take. This concerned her as a functioning Council, they needed to acknowledge it, and come up with some sort of answer. She said in connection to Councilmember White's comments about cost avoidance, the solar panels for the pool could not have saved the City \$477,000 because they had not worked. She requested to see the kilowatts per hour savings and asked that this information be provided to her.

Councilmember White said unless there was some overarching reason that the contract needed to be passed from a timing standpoint, he wondered about deferring it for one more meeting to make adjustments and get the contract right based on what came out of the Recreation and Sustainability Committees and his comments regarding the HVAC systems.

Councilmember Mitchell said when this first came to the Committee on Ways and Means regarding the pool, he went throughout his community and to the neighborhood association to explain to his constituents what was going to happen with the pool, and he told them that it would be upgraded and have an enclosure. His constituents were satisfied with this and loved

the idea because they always felt like they were left out, even with the pool and the renovation of the park itself. Now, some Councilmembers were saying they were going to hold up certain aspects of the contract. He asked why the Committee had to hold up items coming to the East Side when it was an area that had not received what it should have received for years. The MLK Pool was a community pool, and the children only got two to three hours at this pool. By the time they got out of school and changed at home, they only had half an hour. There were swim meets at the pool, which he did not have a problem with, but it still was a community pool located in District 4, and he represented this district. He was tired of things being delayed. He believed they should proceed, complete the pool and enclosure, and put it all back together. He had represented this district for a number of years, and he knew exactly what the community needed. He visited the park all the time, and there was a big debate about Rosemont at Council one time and people not wanting residents who were forced out to come to the pool. He said other Committee members were not there on the East Side and did not deal with the community. This was still a community pool, and this is what he wanted to see done. He wanted everything back in place in the contract, and he wanted Ways and Means to vote on it.

Chairman Moody asked who made the original motion, and the Clerk stated that Councilmember Mitchell made the motion, and Councilmember Williams was the second. Chairman Moody said the Committee had a motion to approve what was presented. The Committee had a discussion to amend it or defer it. There were two comments to amend and one comment to defer. He said he could call for the question or the Committee could discuss the item further.

Councilmember Lewis said he agreed with Councilmember Wilson that they had two committees saying something different, but the fact was the City had been talking for years about putting a cover on the pool. He thought if it was in the budget and it had been in the budget, it should stay in the budget regardless of what the City was looking at in connection with the pool in North Charleston. If they could get the private sector to help, this would be great, but 90 percent of the time when the pool was opened, the children living in the East Side did not get to use the pool because of different swim meets. He did not think they should deprive the citizens in the East Side of having an upgraded pool with an enclosure. They could work all of the other details out later. He was in favor of trying to get the private sector's help with paying for some of it if this was possible because the people that were supposed to use it in the City, half of the time, couldn't get to use it. He said he was not just talking about East Side residents because the pool had so many meets, that City residents had to wait until these were finished to use the pool. If it was in the City's budget, and they were going to enclose it, they should do so and keep it in the budget. If there was some problem with the electrical work, this was why the City had staff that could work on these logistics and how the City would complete the rest of the work.

Councilmember Williams said the majority of the pools in Charleston were obsolete and old, so he concurred with doing the work on the pool. He asked how old most of the City's pools were. Jason Kronsberg, Director of Parks, said this pool was built in 1968. Councilmember Williams said the residents of Johns Island did not even have a pool or a recreation facility. He

concurred that this needed to be fixed.

Councilmember Seekings said he wanted to respond procedurally to Councilmember Wilson. He thought it was never good to put one committee against another, and he did not think this was the intention. He said this came about because the contract came to the Sustainability Advisory Committee originally, it had been a late-scheduled meeting, and they were missing some of the non-Councilmember members, including Danny Kassis from SCE&G. At this meeting, the Committee had a long discussion, not just about the MLK pool, but pools that existed and pools that didn't. The Sustainability Advisory Committee recommended sending it to the Recreation Committee to have a discussion about the pool, specifically, and bring it back through the Sustainability Advisory Committee to get a more rounded discussion and include Mr. Kassis, as well as other citizen members of the Committee. Maybe in hindsight, the best way to have done this would have been to have a joint meeting of the Recreation Committee and Sustainability Advisory Committee. The intention of the most recent Sustainability Advisory Committee meeting was to square up the Johnson Controls contract with the concerns about the MLK Pool and the larger pool issue, as well as the concerns of Ms. Wharton and her staff regarding getting financing in place, so they did not backslide on the interest rates. They also wanted to make sure that the cost savings added up for the City. The meeting was well-intentioned, but maybe not the most efficient way to do it. Councilmember Seekings asked if the City would receive a penalty if they deferred the item one more meeting in order to get everything together. Ms. Wharton said they should be okay for one more meeting.

Mayor Tecklenburg said he let the Sustainability Advisory Committee know about the vote which took place at the Recreation Committee. He felt the item was before all of them as a whole and as the Committee on Ways and Means. The Recreation Committee recommended going forward without the pool, and the Sustainability Advisory Committee was recommending going forward with the proviso that the pool still needed another approval by Council after a larger discussion. He thought it was prudent to proceed, particularly with the HVAC and the lighting proposal. He thought Councilmember White made a good point, and if it were not for the replacement of the R-22 Freon, maybe over the next year they could phase in some of the new units, rather than doing it all at one time. He thought it was important to approve one or the other, so the City could at least get the air conditioning and lighting improvements moving forward. The savings were 30 percent for the City's energy uses overall. They did take the ice machine out of the contract, which was not needed.

Chairman Moody said they could vote on this motion the way it was, unless Councilmember Mitchell wanted to amend his motion. If he did not, they would vote on it as-is, and if it failed, they would have an opportunity to cut something out of the contract or defer it.

Councilmember Gregorie said he wanted to address Councilmember Wilson's point about two committees. The Recreation Committee was a standing committee, and the other was an advisory committee. There was a clear distinction between the two, and he wanted this to be a part of the record. He really thought this was something the Committee on Ways and Means should defer because of the two committees involved. He thought that maybe these two

committees could come together and provide a recommendation, as opposed to Ways and Means trying to go through the contract because there were too many pieces. He did not think anyone was saying they were not going to move forward with the pool enclosure, but what he was hearing is that they needed a much more comprehensive review, not just of the MLK Pool, but of all of the City's facilities, and that should be brought to the body as whole. He thought this was worthy of deferring the item until the Recreation Committee and Sustainability Advisory Committee could meet and make a recommendation to the Committee on Ways and Means.

Councilmember Waring asked Councilmember Gregorie if this was his motion, and Councilmember Gregorie confirmed. Councilmember Waring said he would second the motion. Councilmember Waring said he agreed with everything that Councilmembers Gregorie and Seekings had said. He said the conversation at the Sustainability Advisory Committee was not about taking anything away. It was about a broader solution for all communities. This was the first time in five and a half years that he had heard a conversation about pools inclusive of the natatorium. He thought it would be a lost opportunity if the discussion at the Sustainability Advisory Committee did not continue.

Councilmember Shahid said he thought this is why they needed to defer the item and have a joint committee meeting because at the Recreation Committee, they heard some very compelling reasons to not vote for the enclosure. He said the Mayor had made a motion to discuss the electrical system, and there were issues brought up by Councilmember Wilson about the age of the pool, the shutting down of the pool, and the impact it would have on the community. To him, these were important issues. The Committee on Ways and Means was hearing different and compelling arguments regarding this, and he thought it would behoove Ways and Means if the Recreation Committee and Sustainability Advisory Committee could meet together as a joint committee.

Councilmember Mitchell said he would agree to the deferral, but he was still committed to having everything done all at one time.

On a motion of Councilmember Gregorie, seconded by Councilmember Waring, the Committee on Ways and Means voted to defer Amendment IV to the 2001 Johnson Controls Energy Performance Contract, so that the Recreation Standing Committee and the Sustainability Advisory Committee could have a joint meeting and make a recommendation to the Committee on Ways and Means.

The vote was not unanimous. Councilmember Gregorie voted nay.

**5. FIRE DEPARTMENT: APPROVAL TO ACCEPT A SLED GRANT IN THE AMOUNT OF \$68,000 FOR THE LOW COUNTRY REGIONAL COLLAPSE SEARCH & RESCUE TEAM-CHARLESTON FUNDS WILL BE USED TO PURCHASE SAFE HEAD LAMPS, RESCUE HELMETS AND REPAIR AND REPLACE EXISTING CACHE EQUIPMENT FOR THE SC TASK FORCE THREE. NO CITY MATCH IS REQUIRED.**



On a motion of Councilmember White, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to approve to accept a SLED grant in the amount of \$68,000 for the Low Country Regional Collapse Search & Rescue Team-Charleston funds will be used to purchase safe head lamps, rescue helmets and repair and replace existing cache equipment for the SC Task Force Three.

**6. OFFICE OF CULTURAL AFFAIRS: APPROVAL TO ACCEPT A SUBGRANTING GRANT AWARD OF \$9,491 FROM THE SCAC. PROJECT FUNDS WILL SUPPORT THE LOWCOUNTRY QUARTERLY ARTS GRANTS PROGRAM. PROJECT DATES ARE 7/1/17-6/30/18. A CITY MATCH OF \$9,491 IS REQUIRED. MATCHING FUNDS WILL BE BUDGETED IN 2018.**

On a motion of Councilmember White, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve to accept a subgranting grant award of \$9,491 from the SCAC.

**7. OFFICE OF CULTURAL AFFAIRS: APPROVAL TO ACCEPT A GENERAL OPERATING SUPPORT GRANT AWARD OF \$27,917. PROJECT FUNDS WILL BE USED FOR GENERAL OPERATING SUPPORT. PROJECT DATES ARE 7/1/17 – 6/30/18. A CITY MATCH OF \$83,751 IS REQUIRED. MATCHING FUNDS WILL COME FROM PRIVATE DONATIONS AND EARNED REVENUES.**

On a motion of Councilmember White, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve to accept a general operating support grant award of \$27,917.

**8. OFFICE OF CULTURAL AFFAIRS: APPROVAL TO ACCEPT A GRANT AWARD OF \$1,000 FROM THE SCAC. PROJECT FUNDS WILL BE USED TO SUPPORT ACCESSIBILITY COMPONENTS OF THE 2017 MOJA ARTS FESTIVAL. A CITY MATCH OF \$1,000 IS REQUIRED. THE MATCH WILL COME FROM 2017 MOJA ARTS FESTIVAL PAID ADMISSIONS.**

On a motion of Councilmember White, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to accept a subgranting grant award of \$9,491 from the SCAC.

**9. PARKS: APPROVAL TO SUBMIT THE KEEP SOUTH CAROLINA BEAUTIFUL'S 2018 PALMETTO PRIDE GRANT APPLICATION IN THE AMOUNT OF \$10,000, FOR KEEP CHARLESTON BEAUTIFUL TO UTILIZE FOR LITTER REDUCTION EVENTS, LITTER EDUCATION, AND AWARENESS PROGRAMMING AND BEAUTIFICATION EFFORTS WITHIN THE CITY OF CHARLESTON. NO CITY MATCH IS REQUIRED.**

On a motion of Councilmember White, seconded by Councilmember Lewis, the Committee on Ways and Means voted unanimously to approve to submit the Keep South Carolina Beautiful's

2018 Palmetto Pride Grant Application in the amount of \$10,000, for Keep Charleston Beautiful to utilize for litter reduction events, litter education, and awareness programming and beautification efforts within the City of Charleston.

**10. PARKS-CAPITAL PROJECTS: APPROVAL OF THE CHARLESTON FIRE DEPARTMENT 2016 FEMA GENERATOR GRANT REPLACEMENT CONSTRUCTION CONTRACT WITH METRO-DWELLINGS, INC. IN THE AMOUNT OF \$405,404.99 FOR THE REMOVING OF THE EXISTING UNDERSIZED GENERATORS AND PROVIDING NEW PERMANENT GENERATOR SETS CAPABLE OF PROVIDING FULL POWER AT STATIONS 4/15, 5/10, 7 AND 16. THE PROJECT TIMETABLE IS SCHEDULED FOR 100 DAYS. WITH THE APPROVAL OF THE PROJECT BUDGET, STAFF IS AUTHORIZED TO AWARD AND/OR AMEND CONTRACTS LESS THAN \$40,000, TO THE EXTENT CONTINGENCY FUNDS EXIST IN THE COUNCIL APPROVED BUDGET. THE CONSTRUCTION CONTRACT WILL OBLIGATE \$405,499.99 OF THE \$464,560.78 PROJECT BUDGET. THE FUNDING SOURCES FOR THE PROJECT ARE: FEMA HAZARD MITIGATION GRANT FUNDS (\$298,688), 2012 GENERAL FUND RESERVES (\$50,000), 2013 GENERAL FUND RESERVES (\$107,597.26) AND 2015 GENERAL FUND RESERVES (\$8,275.52). THIS WORK WILL REMOVE AND REPLACE 4 EXISTING GENERATORS CURRENTLY BEYOND THEIR SERVICE LIFE AND ORIGINALLY DESIGNED TO PROVIDE A PARTIAL ELECTRICAL LOAD. THE NEW GENERATORS WILL PROVIDE UNINTERRUPTED FULL BACKUP POWER FOR 7 DAYS AND WILL BE ELEVATED TO MEET THE FLOOD CODE REQUIREMENTS.**

On a motion of Councilmember Lewis, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve the Charleston Fire Department 2016 FEMA Generator Grant Replacement Construction Contract with Metro-Dwellings, Inc. in the amount of \$405,404.99 for the removing of the existing undersized generators and providing new permanent generator sets capable of providing full power at stations 4/15, 5/10, 7 and 16.

**11. PARKS-CAPITAL PROJECTS: APPROVAL OF THE SPRING & CANNON STREETSCAPE, TWO-WAY CONVERSION & SIGNALIZATION CONSTRUCTION CONTRACT CHANGE ORDER #4 WITH AOS SPECIALTY CONTRACTORS, INC. IN THE AMOUNT OF \$627,394.28 FOR THE MILLING AND RESURFACING OF SPRING AND CANNON STREETS. CHARLESTON COUNTY IS CONTRIBUTING \$500,000 TO THE RESURFACING COST FROM FUNDING ALLOCATED IN 2013/14 FOR THE RESURFACING OF THESE STREETS ON A REIMBURSABLE BASIS. THE BALANCE WILL COME FROM PROJECT CONTINGENCY. THE TOTAL PROJECT BUDGET WILL INCREASE BY \$500,000 AND THE CONTRACT TIME WILL INCREASE BY 60 DAYS. APPROVAL OF CHANGE ORDER #4 WILL INCREASE THE CONSTRUCTION CONTRACT WITH AOS SPECIALTY CONTRACTORS, INC. BY \$627,394.28 FROM \$4,193,007.57 TO \$4,820,401.85. THE FUNDING SOURCES FOR THIS PROJECT ARE: 2000 GENERAL FUND RESERVES (\$300,000), GATEWAY TIF (\$5,852,128) AND CHARLESTON COUNTY (\$500,000).**

On a motion of Councilmember Gregorie, seconded by Councilmember Lewis, the Committee on

Ways and Means voted unanimously to approve the Spring & Cannon Streetscape, Two-Way Conversion & Signalization Construction Contract Change Order #4 with AOS Specialty Contractors, Inc. in the amount of \$627,394.28 for the milling and resurfacing of Spring and Cannon Streets.

**12. PARKS-CAPITAL PROJECTS: APPROVAL OF AN INCREASE TO THE WESTEDGE PARKING GARAGE CONSTRUCTABILITY REVIEW PURCHASE ORDER #138659 WITH CUMMING CONSTRUCTION MANAGEMENT, INC. IN THE AMOUNT OF \$2,000. THE ORIGINAL PURCHASE ORDER WAS ISSUED IN DECEMBER 2015 IN THE AMOUNT OF \$39,900 FOR PROFESSIONAL SERVICES RELATED TO THE CONSTRUCTABILITY REVIEW OF FINAL DRAWINGS FOR THE WESTEDGE PARKING GARAGE. DUE TO CONSTRUCTION DELAYS AND SCHEDULE REVISIONS, THE FUNDING AVAILABLE UNDER THE PURCHASE ORDER HAS BEEN EXHAUSTED AND THE ADDITIONAL FUNDING IS NEEDED TO COMPLETE THE CONSTRUCTION OBSERVATION SERVICES. THE APPROVAL OF THIS INCREASE TO THE PURCHASE ORDER WILL ALLOCATE AN ADDITIONAL \$2,000 FROM FUNDS BUDGETED FOR THE WESTEDGE PARKING GARAGE IN THE PARKING FUND.**

On a motion of Councilmember Gregorie, seconded by Mayor Tecklenburg, the Committee on Ways and Means voted to approve an increase to the WestEdge Parking Garage Constructability Review Purchase Order #138659 with Cumming Construction Management, Inc. in the amount of \$2,000.

The vote was not unanimous. Councilmember Lewis voted nay.

**13. PARKS-CAPITAL PROJECTS: APPROVAL OF THE VOLVO TENNIS STADIUM MISCELLANEOUS CONCRETE REPAIRS CONSTRUCTION CONTRACT WITH STRICKLAND WATERPROOFING COMPANY, INC. IN THE AMOUNT OF \$83,500 FOR THE REPAIR OF VARIOUS CONCRETE CRACKS AND SPALLS THROUGHOUT THE TENNIS STADIUM. THE FUNDING SOURCE FOR GENERAL MAINTENANCE WORK AT THE VOLVO TENNIS STADIUM IS 2017 HOSPITALITY FUND (\$150,000).**

On a motion of Councilmember White, seconded by Councilmember Gregorie, the Committee on Ways and Means voted unanimously to approve of the Volvo Tennis Stadium Miscellaneous Concrete Repairs Construction Contract with Strickland Waterproofing Company, Inc. in the amount of \$83,500 for the repair of various concrete cracks and spalls throughout the tennis stadium.

**14. PARKS-CAPITAL PROJECTS: APPROVAL OF WEST ASHLEY GREENWAY IMPROVEMENTS – PARKDALE TO CROGHAN LANDING CHANGE ORDER #1 TO THE CONSTRUCTION CONTRACT WITH RAKES BUILDING AND MAINTENANCE CONTRACTORS, LLC DBA BLUTIDE MARINE CONSTRUCTION IN THE AMOUNT OF \$21,999.17 FOR ADDITIONAL BASE PREPARATION AS REQUIRED FOR AREAS WITH LESS THAN 4" OF BASE MATERIAL IN PLACE, PLACEMENT OF ADDITIONAL 1" OF ASPHALT ON TWO 700 LINEAR FEET OF PATH DUE TO CONCERNS ABOUT STABILITY AND AN**

**ADDITIONAL 30 TONS OF RIP-RAP AND FILL MATERIAL REQUIRED DUE TO EXISTING CONDITIONS AT THE LONG BRANCH CREEK PORTION OF THE TRAIL. THE TOTAL PROJECT BUDGET REMAINS UNCHANGED. THE CONTRACT TIME REMAINS UNCHANGED. THE APPROVAL OF THIS CHANGED ORDER WILL RESULT IN A \$21,999.17 INCREASE TO THE BLUTIDE MARINE CONSTRUCTION CONTRACT FROM \$537,812 TO \$559,811.17. THE FUNDING SOURCES FOR THIS PROJECT ARE: 2013 GENERAL FUND RESERVES (\$700,000) AND 2015 CHARLESTON TRANSPORTATION COMMITTEE "C" FUNDS (\$140,000).**

On a motion of Councilmember Mitchell, seconded by Councilmember Seekings, the Committee on Ways and Means voted unanimously to approve of West Ashley Greenway Improvements – Parkdale to Croghan Landing Change Order #1 to the Construction Contract with Rakes Building and Maintenance Contractors, LLC dba Blutide Marine Construction in the amount of \$21,999.17 for additional base preparation as required for areas with less than 4" of base material in place, placement of additional 1" of asphalt on two 700 linear feet of path due to concerns about stability and an additional 30 tons of rip-rap and fill material required due to existing conditions at the Long Branch Creek portion of the trail.

**15. PARKS-CAPITAL PROJECTS: APPROVAL OF WEST ASHLEY GREENWAY IMPROVEMENTS – PARKDALE TO CROGHAN LANDING CHANGE ORDER #2 TO THE CONSTRUCTION CONTRACT WITH RAKES BUILDING AND MAINTENANCE CONTRACTORS, LLC DBA BLUTIDE MARINE CONSTRUCTION IN THE AMOUNT OF \$61,470.48 FOR THE LINING OF AN EXISTING 48" CULVERT AND THE STABILIZATION OF DRAINAGE INFRASTRUCTURE UNDER THE GREENWAY CAUSEWAY THAT WAS UNDERMINING PART OF THE TRAIL. THE TOTAL PROJECT BUDGET REMAINS UNCHANGED. THE CONTRACT TIME WILL INCREASE BY 15 DAYS. THE APPROVAL OF THE CHANGE ORDER WILL RESULT IN A \$61,470.48 INCREASE TO THE BLUTIDE MARINE CONSTRUCTION CONTRACT FROM \$559,811.17 TO \$621,281.65. THE FUNDING SOURCES FOR THIS PROJECT ARE: 2013 GENERAL FUND RESERVES (\$700,000) AND 2015 CHARLESTON TRANSPORTATION COMMITTEE "C" FUNDS (\$140,000). THIS WORK IS NECESSARY DUE TO DAMAGE CAUSED BY THE HIGH STORM SURGE DURING HURRICANE IRMA.**

This item was deferred at the request of staff.

**16. PUBLIC SERVICE: APPROVAL OF A PROFESSIONAL SERVICES CONTRACT WITH JOHNSON, LASCHOB & ASSOCIATES P.C. FOR UP TO \$250,000 TO PROVIDE THIRD-PARTY PLAN REVIEW RELATED TO NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS. THIS IS NECESSARY TO MAINTAIN THE LEVEL OF SERVICE GIVEN WITH THE VARYING NUMBER OF DEVELOPMENT SUBMITTALS RECEIVED AS PART OF THE CITY'S TRC PROCESS.**

Councilmember Gregorie asked for clarification on this item.

Laura Cabiness, Director of Public Service, said this contract would help Public Service with its NPDES permit review. Part of the development process required them to enforce the NPDES permit, which required staff to review and approve erosion control and stormwater plans. With the amount of work the department had received lately, they did not have enough staff to keep up with the demand. Today, they went over 17 projects that had been submitted for the next Technical Review Committee meeting. They needed a third party reviewer to help meet this demand.

Chairman Moody said he saw this as a way to get over some of these peaks, and he asked if this was correct. Ms. Cabiness confirmed. He asked if there was a process they used to select this group like a RFQ. Ms. Cabiness confirmed and said they sent out a RFQ, and they received submittals. They had a selection committee that included Councilmember Williams, and this firm was found to be the most qualified. The firm had actually completed plan reviews for the City in the past and had attended training with the City at DHEC, so that everyone would be on the same page. They would not be doing these reviews separate from the City. They met before every TRC meeting and went over all of the comments from the City's in-house engineers and the City's third party engineers to make sure they were treating each project the same way.

Councilmember Riegel arrived to the meeting at 5:25 p.m.

Councilmember White said he recognized this was for the Technical Review Committee, but he would not want a third party passing judgment on projects that were not specific to technical issues. He just wanted to make sure they were not being given too much latitude. Ms. Cabiness said they reviewed the plans based on the manual, and if there were any questions, they all discussed it to make sure they were adhering to the City's requirements.

Councilmember Williams said when projects were held up in the Technical Review Committee, it was an added cost to the consumer. As much as they could push these projects through, the cost would not be on the consumer in terms of pricing and ensured they were customer friendly.

Councilmember Gregorie said \$250,000 could hire two to three staff members full time. The situation would not get any better in terms of the number of reviews that the department had. He thought they should be looking at this long term and determine whether or not the department needed more staffing, so that they could have the appropriate capacity to do what the department needed to do. He knew this could not be done overnight, but he thought the City really needed to look at staffing up Public Service permanently. He did not think it was good for the City to have ad hoc hiring when it knew the work would keep increasing.

Councilmember Waring asked how long the \$250,000 would last. Ms. Cabiness said the contract was \$250,000 a year with the possibility of two \$250,000 a year extensions. She said Mayor Tecklenburg had also asked the department to look into increasing fees as a way to make up some of this cost. Ms. Cabiness said when staff reviewed a stormwater plan, they were getting subdivision plans that might be 200 sheets and a stormwater report that might be 500-600 sheets. This was definitely the longest, most in-depth review of all of the TRC items. Lately it was not

uncommon for their department to see 15 to 23 reviews a week. Councilmember Waring asked Ms. Cabiness if she had requested more staff, and she said the department had increased staff, and they were hiring more inspectors. She thought this would get them over the peaks, and long term, they could consider hiring more people. The last time the department hired a plan reviewer, it took him about six months to come up to speed. It was not easy today to hire a licensed, professional engineer or a licensed surveyor that had the abilities to step in and start doing the work. It was also hard to entice them away from private development.

Councilmember Lewis thanked Councilmember Gregorie for his comments. He said that for years the Public Service department had been understaffed, not only with engineers, but with building inspectors, and the City was growing. They just discussed a contract to help with sanitation a few months ago. He thought this was something Council needed to look at seriously next year because every department in the City was understaffed. The City did not like raising taxes and fees, but if the City was going to provide good service, it needed money coming from somewhere. The City could not continue to overwork people and still get complaints about things taking too long.

On a motion of Councilmember Mitchell, seconded by Mayor Tecklenburg, the Committee on Ways and Means voted unanimously to approve the professional services contract with Johnson, Laschober & Associates P.C. for up to \$250,000 to provide third-party plan review related to new development and redevelopment projects.

**17. HOUSING AND COMMUNITY DEVELOPMENT: MAYOR AND CITY COUNCIL APPROVAL IS REQUESTED TO AMEND TWO CONTRACTS PREVIOUSLY AWARDED IN THE AMOUNT OF \$282,447 TO LOWCOUNTRY AIDS SERVICES (LAS) AND \$200,000 TO ROPER ST. FRANCIS FOUNDATION (RSFF) IN 2016-2017 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) FUNDS. THE AWARDS WERE APPROVED BY CITY COUNCIL, MARCH 22, 2016. THE AMENDMENT COMMITS AN ADDITIONAL \$30,000 TO EACH ORGANIZATION FROM PRIOR YEAR FUNDS; INCREASING THE CONTRACT TO LAS TO \$312,447 AND TO RSFF TO \$230,000. BOTH ORGANIZATIONS PROVIDE HOUSING AND RELATED SERVICES TO PERSONS OR HOUSEHOLDS EARNING EIGHTY PERCENT (80%) AND BELOW THE AREA MEDIAN INCOME THAT HAVE HIV/AIDS. FUNDING FOR THIS AMENDMENT IS DERIVED FROM PRIOR YEAR HOPWA FUNDS AWARDED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).**

On a motion of Councilmember Lewis, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve to amend two contracts previously awarded in the amount of \$282,447 to Lowcountry Aids Services (LAS) and \$200,000 to Roper St. Francis Foundation (RSFF) in 2016-2017 Housing Opportunities for Persons with Aids (HOPWA) funds. The awards were approved by City Council, March 22, 2016.

**18. THE LICENSE COMMITTEE: (MEETING WAS HELD WEDNESDAY, OCTOBER 11, 2017 AT 2:00 P.M. AT CITY HALL, 80 BROAD STREET)**

- a. An ordinance to adopt and amend the Business License Ordinance for the City of Charleston, South Carolina for the fiscal year commencing January 1, 2018.

Councilmember Gregorie, Chair of the License Committee, reported the Committee met on October 11<sup>th</sup>, and it reviewed the City's business license ordinance. The Committee made two major recommendations to include the penalty being reduced from a 55 percent maximum to a 35 percent maximum, and to extend the grace period for when an applicant would be deemed late. The new date would be February 28<sup>th</sup>. Joshua Richards, Director of Revenue Collections, confirmed and said penalties would begin to accrue on March 1<sup>st</sup>.

On a motion of Councilmember Gregorie, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to adopt the report of the License Committee as presented.

The Committee on Ways and Means recommended giving first reading to the following bill:

*An ordinance to adopt and amend the Business License Ordinance for the City of Charleston, South Carolina for the fiscal year commencing January 1, 2018.*

**19.** The Committee on Real Estate meeting was cancelled as the below item was deferred at the request of staff:

(Authorize the Mayor to approve the Development Agreement for 13 Boyers Court, thus facilitating the closing on the property as per the Transfer Agreement dated August 26, 2016. The Development Agreement must be approved before a closing date can be scheduled. Redevelopment of the property may begin immediately after closing. (TMS: 463-12-02-070) (DEFERRED)

There being no further business presented, the Committee on Ways and Means adjourned at 5:34 p.m.

Jennifer Cook  
Assistant Clerk of Council